THE HONOURABLE SMT JUSTICE T. MEENA KUMARI
AND
THE HONOURABLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 12569 of 2006
AND
W.V.M.P.No. 1560 of 2006

COMMON ORDER:
(Per T. Meena Kumari, J)

The Writ Petition is filed seeking to quash the orders passed by the learned Andhra Pradesh Administrative Tribunal, Hyderabad passed in O.A.No.3854 of 2005 with VMA No.712 of 2005 dated 26.10.2005.

Brief facts of the case are:

Petitioners herein are the respondents before the tribunal. Respondent herein is the Applicant before the tribunal. For the purpose of convenience, the parties as arrayed before the tribunal are referred to hereinafter. Respondent herein filed O.A.No. 3854 of 2005 before the tribunal seeking to set aside the impugned proceedings No. RC/ENC/D2/33497/2003-169 dated 12.7.2005 issued by the 1st respondent.

The learned Andhra Pradesh Administrative Tribunal after hearing the parties and after considering the material placed before it has set aside the impugned order and directed the respondents to continue the applicant as Assistant Engineer with all consequential benefits. The learned tribunal has disposed of the said O.A. accordingly and the V.M.A. was dismissed.

Challenging the Orders of the learned Andhra Pradesh Administrative Tribunal, the defeated respondents have preferred the present Writ Petition.

Heard both sides.

Originally, the applicant was appointed as Tracer on 18.10.1993

and later he was promoted as Junior Technical Officer on 23.12.1998. As the applicant is fully qualified again he was promoted to the post of Assistant Engineer as per Rule 10(a) of A.P. State and Subordinate Service Rules, 1996 by proceedings dated 18.6.2005 by the respondents. Without any reason, the respondents have reverted the applicant by proceedings dated 12.7.2005 from the post of Assistant Engineer to the post of Jr. Technical Officer. Challenging the said reversion orders, the applicant has approached the tribunal and the learned tribunal after considering the material placed before it and after hearing the parties as set aside the impugned proceedings.

As the applicant was fully eligible and qualified to hold the post of Assistant Engineer and he was promoted only after due consideration, reversion of the applicant is not maintainable. Under these circumstances, we do not find any illegality or irregularity in the Orders of the tribunal.

Accordingly, the Writ Petition is dismissed.

W.V.M.P.No. 1560 OF 2006

In view of the judgment passed in Writ Petition No. 12569 of 2006, the Vacate State Petition is dismissed.

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T. MEENA KUMARI, J

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G. CHANDRAIAH, J

14.6.2007
CHV